

05/17/2005 1:30 FAX 312 427 6663

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MAY 17 2005

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Certification of Facsimile Transmission

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent & Trademark Office to Fax No. (703) 746-4000 on May 17, 2005 (7 pages).

Debra M. Szumowski
Name

Signature

May 17, 2005

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Examiner: Watts, Douglas D.
Group Art Unit: 3724

REQUEST FOR DUPLICATE COPY OF NOTICE OF ALLOWANCE & PAYMENT OF ISSUE FEE

Re: Reinhold Reiling et al
U.S. Serial No. 10/049,618
Filed February 22, 2002
Device For Post-Processing, More Particularly
Sharpening A Tool Having A Plurality Of Teeth
Our Docket: CU-3384

Dear Sir:

The last communication received in this application is a Decision on our Petition, which was mailed by the Patent Office on December 8, 2004, a copy of which is attached. The Decision indicated that a new Notice of Allowance would be issued, setting a term of three months for payment of the issue fee.

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On February 17, 2005, a check was made of the PAIR website , in which attention is made to the last entry dated December 8, 2004: "Petition to Revive Application - Granted".

On March 11, 2005, a further check was made of the PAIR website, in which it was noted that on February 23, 2005 a corrected notice of allowance was mailed. However, it is noted that the Notice of Allowability does not appear in the Image Wrapper to enable the undersigned to download the same.

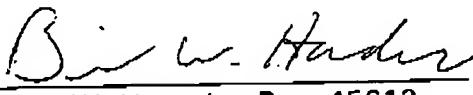
A check of the undersigned's file and all records relating to this application was made and once again, it is believed that the Notice of Allowance was never received in our office.

On March 17, 2005, a telephone call was made to Alan Shope(?) in Group 3700 explaining that the Notice of Allowance which was mailed on February 23 was never received. Mr. Shope indicated that he would send an e-mail to the clerk (Valerie Douglas) instructing her to remail a copy of the Notice of Allowance. Ms. Douglas was also contacted on March 17. Ms. Douglas indicated that she would contact the Examiner (Douglas Watts), indicating that it was the Examiner's responsibility to reorder the file and resend the notice of Allowability.

To date, the Notice of Allowance has never been received. A duplicate copy of said Notice of Allowance together with all enclosures is hereby respectfully requested to be facsimiled transmitted to the undersigned at Fax No. (312) 427-1300.

In addition, it is respectfully requested that the appropriate Issue Fee (and if applicable the publication fee) be charged to our Deposit Account No. 12-0400 to prevent this application from once again becoming abandoned due to failure to receive the Notice of Allowance.

Respectfully submitted,



Brian W. Hameder, Reg. 45613
Attorney for Applicant

BWH:ds/15-16
Enclosures



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003/007

UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC -8 2004 2004 DEC 13 PM 2:44

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.uspto.gov

Paper No. 9

In re Application of
Reinhold Reiling et al
Application No. 10/049,618
Filed: February 22, 2002
Attorney Docket No. CU-3384 (02039)

DECISION ON PETITION

This is a decision on the petition originally filed on March 26, 2004, as resubmitted by facsimile transmission on August 16, 2004, by which petitioners request withdrawal of the holding that this application is abandoned for failure to pay the issue fee that was due on or before December 22, 2003. The petition is considered pursuant to 37 CFR 1.181, and no fee is required.

The petition is granted.

Petitioners allege that this application is not abandoned because petitioners did not receive the Notice of Allowance dated September 22, 2003, or any of the attachments thereto. Therefore, the fee could not be paid. In support of this allegation, petitioner has made a showing as discussed at MPEP § 711.03(c). The showing has been reviewed and it clearly satisfies the requirements of the Notice published at 1156 OG 53 pertaining to abandonment resulting from nonreceipt of Office correspondence. Based upon petitioners' showing, it is clear this application is not abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the Head Supervisory Applications Examiner for Technology Center 3700 to:

1. Enter the associate power of attorney and change of correspondence address that were also filed on March 26, 2004, prior to the recent amendments to 37 CFR 1.32; and
2. Mail a new Notice of Allowance, together with a complete copy of the Notice of Allowability and all attachments thereto. The period for payment of the Issue Fee will run THREE MONTHS from the date upon which the new Notice of Allowance is mailed, and cannot be extended pursuant to 37 CFR 1.136. The period for reply to certain requirements that may be set forth on the attached Notice of Allowability with respect to the submission of an oath or declaration, and with respect to certain requirements pertaining to the submission of formal drawings or drawing corrections, can no longer be extended. See 37 CFR 1.85(c), and 37 CFR 1.136(c) as amended, effective November 7, 2000, published at 65 Federal Register 54670 and 54674, respectively.

After the above mailings are accomplished, the application will be forwarded to the Office of Patent Publication for processing into a patent.

PETITION GRANTED.

E. Rollins-Cross, Director
Technology Center 3700

Richard J. Streit
c/o Ladas & Parry
224 south Michigan Avenue
Chicago, IL 60604

PAIR Page



May 17 2005
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Search results as of: 2-17-2005::15:19:37 E.T.

Search results for application number: 10/049,618

Application Number:	10/049,618	Customer Number:	26530
Filing or 371(c) Date:	02-22-2002	Status:	Abandoned -- Failure to Pay Issue Fee
Application Type:	Utility	Status Date:	01-26-2004
Examiner Name:	WATTS, DOUGLAS D	Location:	TC 3700 SPE OF GAU ASSIGNED
Group Art Unit:	3724	Location Date:	02-13-2005
Confirmation Number:	7758	Earliest Publication No:	-
Attorney Docket Number:	02039	Earliest Publication Date:	-
Class/ Sub-Class:	076/048	Patent Number:	-
First Named Inventor:	Reinhold Reiling, Konigsbach-Stein, (DE)	Issue Date of Patent:	-
Title Of Invention:	DEVICE FOR POST-PROCESSING, MORE PARTICULARLY SHARPENING, A TOOL HAVING A PLURALITY OF TEETH		

Select Search Option

 Foreign Priority Image File Wrapper Patent Term Adjustment History**File History**

Date	Contents Description
12-08-2004	Petition to Revive Application - Granted
08-16-2004	Petition Entered
08-13-2004	Workflow incoming petition IFW
04-02-2004	Correspondence Address Change
01-26-2004	Mail Abandonment for Failure to Pay Issue Fee
01-26-2004	Abandonment for Failure to Pay Issue Fee
02-22-2002	Workflow - Drawings Finished
02-22-2002	Workflow - Drawings Matched with File at Contractor
11-11-2003	Receipt into Pubs
09-30-2003	Workflow - File Sent to Contractor
09-26-2003	Receipt into Pubs
09-25-2003	Dispatch to Publications
09-22-2003	Mail Notice of Allowance
09-22-2003	Mail Formal Drawings Required
09-22-2003	Mail Oath of Declaration Required
09-22-2003	Oath or Declaration Required
09-22-2003	Formal Drawings Required
09-22-2003	Notice of Allowance Data Verification Completed

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09-22-2003	Notice of Allowability
02-22-2002	Preliminary Amendment
06-11-2002	Case Docketed to Examiner in GAU
04-23-2002	IFW Scan & PACR Auto Security Review
04-12-2002	Application Dispatched from OIPE
04-12-2002	Notice of DO/EO Acceptance Mailed
02-22-2002	Initial Exam Team nn

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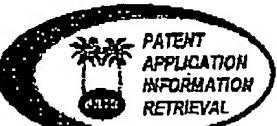
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PATENT APPLICATION INFORMATION RETRIEVAL

Search results as of: 3-11-2005::14:37:42 E.T.

Search results for application number: 10/049,618			
Application Number:	10/049,618	Customer Number:	26530
Filing or 371(c) Date:	02-22-2002	Status:	Allowed – Notice of Allowance Mailed – Issue Revision Completed
Application Type:	Utility	Status Date:	02-22-2005
Examiner Name:	WATTS, DOUGLAS D	Location:	TC 3700 LEGAL INSTRUMENTS EXAMINER TEAM 5, PK1-5C00
Group Art Unit:	3724	Location Date:	02-22-2005
Confirmation Number:	7758	Earliest Publication No:	-
Attorney Docket Number:	02039	Earliest Publication Date:	-
Class/ Sub-Class:	076/048	Patent Number:	-
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Search Options

Foreign Priority
Image File Wrapper
Patent Term Adjustment History
Publication Review

File History

Date	Contents Description
02-23-2005	Mail Corrected Notice of Allowance
02-23-2005	Mail Formal Drawings Required
02-22-2005	Formal Drawings Required
02-22-2005	Corrected Notice of Allowance
02-22-2005	Withdraw Publication/Pre-Exam Abandon
12-08-2004	Petition to Revive Application - Granted
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